

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

MOHAMMAD SARABRI, Individually and) Civil No.10cv1777 AJB (NLS)
on Behalf of All Others Similarly Situated,)
Plaintiff,) STIPULATED ORDER FOR
v.) INJUNCTION
WELTMAN, WEINBERG & REIS CO.,) AND INJUNCTION
L.P.A.,)
Defendants.)

)

Plaintiff Mohammed Sarabri and Defendant Weltman, Weinberg & Reis Co, L.P. (“Weltman”) jointly submit this Stipulated Injunction (hereinafter referred to as the “Stipulated Injunction”). For purposes of this Stipulated Injunction, Plaintiff and Weltman (collectively, the “Parties”) agree upon the following predicate procedural history and facts:

A. On August 25, 2010, Plaintiff filed this class action lawsuit (hereinafter referred to as the “Lawsuit”) against Weltman asserting class claims under the Telephone Consumer Protection Act (hereinafter referred to as the “TCPA”), 47 U.S.C. § 227.

B. Specifically, Plaintiff alleged that Weltman violated the TCPA by calling his cellular telephone, without “prior express consent,” using an “automatic telephone dialing system” and using an “artificial or prerecorded voice.”

C. Weltman denied any and all liability asserted in the Lawsuit.

1 D. Following extensive settlement discussions and mediation, the Parties reached a
2 settlement. The final settlement is set forth in the Parties' Class Action Settlement Agreement.

3 E. Weltman, without admitting any liability as to any of the allegations, acknowledges that
4 Plaintiff's claims are the sole catalyst for entering into this Stipulated Injunction.

5 WHEREFORE, IT IS HEREBY STIPULATED, by and between the Parties, that the following
6 injunction be entered by the Court without further notice or process:

7 1. Verification that Numbers Called Are Not Cellular Telephone Numbers - Weltman shall
8 use procedures now and in the future to verify whether a number called is a cellular telephone number
9 before calling such number by an automatic telephone dialing system, or with a prerecording voice
10 message. That shall be done by "scrubbing" such lists of potential numbers, that is, comparing such
11 numbers to be called to commercially available lists of known cell phone numbers, or by any such other
12 commercially feasible manner to achieve the same result. If any such telephone number is determined
13 to be a cell phone number, Weltman agrees that it will not call such number by an automatic telephone
14 dialing system or with a prerecorded voice message, as prohibited by 47 U.S.C. § 227 et seq., unless it
15 has evidence of prior express consent to make the call.

16 2. Duration of Injunction - The Stipulated Injunction will lapse and expire twelve (12)
17 months after the Effective Date.

18 3. Change In Applicable or Relevant Law - Weltman has the right to seek relief from this
19 Court in any manner available to limit, eliminate, or modify or annul the obligations set forth in this
20 Stipulated Injunction based upon a change in the relevant or applicable state or federal law.

21
22 IT IS SO STIPULATED.

23 Dated: February 11, 2013

HYDE & SWIGART

24 _____
25 /s/Joshua Swigart
26 Joshua Swigart, Esq.
27 Attorney for Mohammad Sarabri

28 Dated: February 11, 2013

KAZEROUNIAN LAW GROUP

29 _____
30 /s/Abbas Kazerounian
31 Abbas Kazerounian, Esq.
32 Attorney for Mohammad Sarabri

1 Dated: February 11, 2013

LAW OFFICES OF DOUGLAS CAMPION

2 /s/Douglas Campion
3 Douglas Campion, Esq.
4 Attorney for Mohammad Sarabri

5 Dated: February 11, 2013

LEWIS BRISBOIS BISGAARD & SMITH, LLP

6 /s/Tim J. Vanden Heuvel
7 Tim J. Vanden Heuvel, Esq.
Stephen H. Turner, Esq.
8 Attorney Weltman, Weinberg, & Reis Co., LLP

9 IT IS SO ORDERED:

10 DATED: February 14, 2013

11 
12 Hon. Anthony J. Battaglia
13 U.S. District Judge